

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

LINDA C. FAIGEN,

No. 03:11-CV-219-JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration,

Defendant.

Alan Stuart Graf
Alan Stuart Graf P.C.
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Summertown, TN 38483

Attorney for Plaintiff

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Attorneys for Defendant

HERNANDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation (#23) on June 7, 2012, in which he recommends that this Court reverse the Commissioner's decision and remand for a finding of disability and an award of benefits. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

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CONCLUSION

The Court adopts Magistrate Judge Jelderks's Findings and Recommendation (#23). Accordingly, the Commissioner's decision is reversed, and this action is remanded for a finding of disability and an award of benefits.

IT IS SO ORDERED.

DATED this 9th day of July, 2012.


MARCO A. HERNANDEZ
United States District Judge